

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ORACLE USA, INC., et al.,	)	CASE NO. 2:10-cv-106-LRH-PAL
	)	
Plaintiff(s),	)	MINUTES OF COURT
	)	
vs.	)	DATE: Tuesday, September 29, 2015
	)	
RIMINI STREET, INC., et al.,	)	
	)	
Defendant(s).	)	
_____	)	

PRESENT: THE HONORABLE LARRY R. HICKS, U.S. DISTRICT JUDGE

Deputy Clerk: Dionna Negrete Reporter: Donna Davidson  
Counsel for Plaintiff: William Isaacson, Esq., Karen L. Dunn, Esq., Kieran P. Ringgenberg, Esq., Thomas S. Hixson, Esq., James C. Maroulis, Esq., Richard J. Pocker, Esq., Nitin Jadal, Esq., John Polito, Esq., Dorian Daley, Esq..  
Counsel for Defendant: B. Trent Webb, Esq., West Allen, Esq., Robert H. Reckers, Esq., Peter E. Strand, Esq., Ryan D. Dykal, Annie Y.S. Chuang, Michael Gray, Blaine H. Evanson

MINUTES OF JURY TRIAL DAY 12

8:03 a.m. Court convenes. The jury, counsel, and parties are present.

David Klausner is called on behalf of the defendants is sworn and testifies on direct examination by Mr. Dykal.

Cross examination by Mr. Ringgenberg.

PTX648A is marked and offered not for the truth of the matter, but for assistance to the jury. PTX648A is NOT ADMITTED.

Re-direct examination by Mr. Dykal.

Re-cross examination by Mr. Ringgenberg. Witness is excused.

David Rowe is called on behalf of the defendants is sworn and testifies on direct examination by Ms. Chuang.

9:48 a.m. The jury is admonished and excused. Court stands at recess.

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10:09 a.m. Court reconvenes. The jury, counsel, and parties are present.

David Rowe resumes the witness stand and continues testimony on direct examination by Ms. Chuang.

10:19 – 10:22 a.m. Sidebar.

DTX3013 is offered; objection; DTX3013 is NOT ADMITTED.  
DTX22 is pre-admitted and published to the jury.

11:17 a.m. – 11:18 a.m. Sidebar.

DTX3020 is offered; objection; DTX3020 is NOT ADMITTED.

Cross examination by Mr. Isaacson.

PTX1418 is offered; objection; DTX1418 is NOT ADMITTED.  
PTX237 is offered; objection; objection overruled; PTX237 is admitted.  
PTX5507 is offered; no objection; PTX5507 is admitted.

12:07 p.m. The jury is admonished and excused.

Court remains in session outside the presence of the jury. Mr. Isaacson raises further argument regarding matters raised at sidebar. Mr. Reckers responds. The Court will allow cross examination as described relating to CedarCrestone, Inc. Any remaining questions will be handled as they arise. Mr. Reckers inquires of the Court regarding outstanding issues as to witness Hilliard. The Court will address that issue at a later time. Mr. Reckers further requests to see the settlement agreement between CedarCrestone, Inc. and Oracle. The Court indicates that issue is premature at this point and the Court will address the matter accordingly.

12:19 p.m. The Court stands at recess.

12:36 p.m. Court reconvenes. The jury, counsel, and the parties are present.

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David Row resumes the witness stand and continues testimony on cross examination by Mr. Isaacson.

12:54 p.m. – 12:57 p.m. Sidebar.

PTX2143 is offered; no objection; PTX2143 is admitted.  
PTX2142 is offered; no objection; PTX2142 is admitted.  
PTX2158 is offered; no objection; PTX2158 is admitted.

Witness is excused.

1:15 p.m. The jury is admonished and excused.

Court remains in session outside the presence of the jury. Counsel and the parties are present. Mr. Reckers presents argument in support of disputed issues as they relate to witness Hilliard. Ms. Dunn responds. Mr. Webb interjects and informs the Court that the remaining jury time can be filled with video deposition testimony and the aforementioned issue can be handled after the jury is excused. IT IS SO ORDERED.

Mr. Reckers notifies the Court that defendants will play excerpts of Stephen Woodward's video deposition dated November 17, 2011.

Excerpts of Stephen Woodward's video deposition are played in open court.

Mr. Reckers notifies the Court that defendants will play excerpts of John Hintz's video deposition dated November 30, 2011.

Excerpts of John Hintz's video deposition dated November 30, 2011, are played in open court.

Mr. Reckers notifies the Court that defendants will play excerpts of Barbara Shepard's video deposition dated November 1, 2011.

Excerpts of Barbara Shepard's video deposition dated November 1, 2011, are played in open court.

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Mr. Reckers notifies the Court that defendants will play excerpts of Rhonda Minks' video deposition dated December 19, 2011.

Excerpts of Rhonda Minks' video deposition dated December 19, 2011, are played in open court.

IT IS ORDERED that trial is continued to Wednesday, September 30, 2015, at 8:00 a.m. in Las Vegas Courtroom 4B.

2:02 p.m. The jury is admonished and excused.

Court remains in session outside the presence of the jury. The Court inquires of counsel regarding ongoing disputes as to Paul Simmons' video deposition as outlined in plaintiff's motion [#825]. Mr. Reckers responds.

2:04 p.m. Court stands at recess.

2:28 p.m. Court reconvenes outside the presence of the jury. Counsel and the parties are present. Excerpts of Paul Simmons' video deposition dated December 1, 2011, which are in dispute, are played for the Court's review.

Ms. Dunn presents further argument in support of plaintiff's Motion to Exclude Deposition Testimony of Paul Simmons and the Testimony of Paul Simmons, in part, or Brooks Hilliard, [#825]. Mr. Reckers responds on behalf of the defendants.

IT IS ORDERED that video testimony of Paul Simmons is excluded and will not be admitted.

IT IS FURTHER ORDERED that the Court reserves ruling as to witness Brooks Hilliard until tomorrow morning. Counsel shall be present tomorrow at 7:45 a.m. for the Court's ruling outside the presence of the jury.

3:33 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/ D. Negrete  
Deputy Clerk